

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

Claim 1 (Currently Amended): A surgical instrument comprising:

a body portion;

a tool assembly supported on the distal end of the body portion; ~~and~~

an elongated cover supported about the body portion of the instrument, the elongated cover being formed from a collapsible material and having a substantially tubular configuration having open proximal and distal ends, the elongated cover being movable about the body portion of the instrument from a first position located proximally of the tool assembly to a second position at least partially encompassing the tool assembly, wherein when the elongated cover is in the first position the distal end of the elongated cover is secured to the instrument adjacent to the tool assembly such that the elongated cover can be inverted about the tool assembly as the elongated cover is moved from the first position to the second position; and

a cover deployment device at least partially disposed about the body portion between the body portion and the elongated cover when the elongated cover is in the first position, the cover deployment device being in releasable engagement with the cover and being advanceable along the body portion to move the cover from the first position to the second position.

Claim 2 (Original): A surgical instrument according to Claim 1, wherein the cover is liquid impermeable.

Claim 3 (Canceled).

Claim 4 (Previously canceled).

Claim 5 (Canceled).

Claim 6 (Previously amended): A surgical instrument according to Claim 1, wherein the cover deployment device includes a sleeve slidably positioned about the body portion between a retracted and an advanced position, the sleeve being slidable from the retracted position to the advanced position to move the cover from the first position to the second position.

Claim 7 (Original): A surgical instrument according to Claim 6, wherein the sleeve includes first and second half-sections, the first and second half-sections being urged into abutment with one another by at least one expandable member, the expandable member being expandable to permit the first and second half-sections to move outwardly with respect to each other.

Claim 8 (Original): A surgical instrument according to Claim 7, wherein the expandable member is a resilient O-ring.

Claim 9 (Previously presented): A surgical instrument according to Claim 7, wherein the sleeve includes a proximally located annular ring dimensioned to facilitate movement of the

sleeve between the retracted and advanced positions.

Claim 10 (Previously presented): A surgical instrument according to Claim 7, wherein the first sleeve half-section includes at least one projection and the second sleeve half-section includes at least one slot, the at least one projection being slidable into the at least one slot to maintain alignment between the first and second half-sections when the half-sections move outwardly with respect to each other.

Claim 11 (Previously amended): A surgical instrument according to Claim 1, wherein the cover defines a lumen and the cover is positioned about the body portion and the cover deployment device, wherein movement of the cover deployment device from the retracted position to the advanced position inverts the cover over the tool assembly.

Claim 12 (Previously presented): A surgical instrument according to Claim 11, wherein the cover deployment device includes a distal engagement member, a proximal guide portion and a central body portion interconnecting the engagement member and the guide portion, the cover deployment device being slidably supported on the body portion to enable the cover deployment device to be moved to move the cover to the second position.

Claim 13 (Previously presented): A surgical instrument according to Claim 1, wherein the cover defines a lumen, the proximal end of the cover being movable over the tool assembly to at least partially encompass the tool assembly.

Claim 14 (Previously presented): A surgical instrument according to Claim 13, further including a closure device for closing the proximal end of the cover after it has moved over the tool assembly.

Claim 15 (Original): A surgical instrument according to Claim 14, wherein the closure device includes an elastic band supported by the cover.

Claim 16 (Original): A surgical instrument according to Claim 14, wherein the closure device includes a drawstring.

Claim 17 (Previously presented): A surgical instrument according to Claim 16, wherein the distal end of the cover is removably fastened to the surgical instrument.

Claim 18 (Previously presented): A surgical instrument according to Claim 17, wherein the surgical instrument is a circular stapler.

Claim 19 (Previously presented): A surgical instrument according to Claim 17, wherein the surgical instrument is an ultrasonic dissector.

Claim 20 (Previously presented): A surgical instrument according to Claim 17, wherein surgical instrument is a linear stapler.

Claim 21 (Currently amended): A method of performing a surgical procedure comprising the following steps:

providing a surgical instrument including a body portion, a tool assembly, a cover deployment device and a cover, the distal end of the cover being secured about the instrument adjacent a proximal end of the tool assembly, the cover deployment device being positioned on the body portion and the cover being positioned about the cover deployment device such that the cover is movable from a first position wherein the tool assembly is uncovered to a second position wherein the tool assembly is at least partially covered by advancing the cover deployment device along the body portion;

positioning the surgical instrument adjacent a surgical site and performing a surgical operation on desired tissue;

moving the cover from the first position to the second position by advancing the cover deployment device to invert [[inverting]] the cover at least partially over the tool assembly; and

subsequently removing the surgical instrument from the surgical site, while maintaining the cover at least partially over the tool assembly.

Claim 22 (Previously presented): A method according to Claim 21, wherein the surgical instrument is a circular stapler.

Claim 23 (Previously presented): A method according to Claim 21, wherein the surgical instrument is a linear stapler.

Claim 24 (Previously presented): A method according to Claim 21, wherein the surgical instrument is an ultrasonic dissector.

Claim 25 (Previously presented): A method according to Claim 21, wherein the surgical instrument includes a closure device, and further including the step of actuating the closure device to close the cover at a location distally of the tool assembly.

Claim 26 (Original): A method according to Claim 25, wherein the closure device is a drawstring.

Claim 27-29 (Previously canceled).

Claim 30 (Currently amended): A surgical instrument for insertion into a body lumen comprising:

an elongated body portion having a first diameter and an outer surface;

a stationary shell assembly supported on a distal end of the elongated body portion, the shell assembly having a plurality of surgical staples;

a cover fitted about the elongated body portion, the elongated cover movable from a first proximal position to a second position to cover the stationary shell assembly; and

a cover deployment member positioned about the elongated body portion between the elongated body portion and the cover, the cover deployment being [[and]] slidable in a distal direction along the body portion to move the cover to the second position.

Claim 31 (Previously presented): A surgical instrument according to Claim 30, wherein the cover deployment member is releasably engaged with the cover.

Claim 32 (Currently amended): A surgical instrument according to Claim 31, wherein the cover deployment member includes a sleeve slidably positioned about the body portion between a retracted and an advanced position.

Claim 33 (Previously presented): A surgical instrument according to Claim 32, wherein the sleeve is slidable from the retracted position to the advanced position to move the cover from the first position to the second position.